

Contracts and Specifications

Organization

Part of ITD (Intermodal Transportation Division)

Responsible for transportation related projects

Engineering work is performed by teams composed primarily of professional and technical personnel, with administrative support provided by administrative, secretarial, information processing, and clerical personnel

What does C&S do?

Must clearly communicate to bidders exactly what work ADOT wants done by:

- ...Describing the work

- ...Identifying materials and construction requirements

- ...Describing how an item of work is measured and paid

- ...Determining project-specific unit costs for all the bid items

- ...Ensuring estimate quantities match plan quantities

C&S, as a member of the team, has input in the development of the design package

The design package is a submittal, which consists of the plans, the Special Provisions, and the estimate

Submittal reviews at Stages II, III, IV and V

Reviewed by the entire team

Other Responsibilities

Prepare construction bidding documents and assemble contract documents

Assist in setting and meeting project milestones

Establish and/or review construction time duration

Administer the electronic bidding process

Sell plans, specifications and bidding documents to bidders, subcontractors, suppliers and other interested parties, and transmit funds to accounting

Maintain the planholder's list and distribute it upon request

Prepare and distribute addenda

Receive and open bids and check bids for accuracy

Determine the lowest responsive and responsible bidder and make recommendations to the State Engineer for award consideration

Administer the procedure for prequalification of contractors

Administer the modifications to, and the production of, the Standard Specifications for Road and Bridge Construction and all current stored specifications

Our goal is to turn out jobs that
are: Biddable – Awardable –
Constructible



SUBMITTED QUESTIONS

**What is the difference in
Standard Specifications,
Stored Specifications, special
provisions and specifications?**

Standard Specifications

...a book that shows the way ADOT does business for heavy highway construction projects

...contains requirements for bidding, administrative and contractual procedures, work description, materials and construction requirements, measurement and payment procedures

...language in the Standard applies to any type of project within current or proposed state right-of-way

Stored Specifications

...consist of approved revisions made to the Standard Specifications since its last publication

...their use is triggered by the presence of certain conditions or a specific type of work or the nature of the project

...allows ADOT to control and add uniformity to some of the often-used modifications, so they don't have to be re-invented each time they're needed on a job

Special Provisions

...are the specifications that are unique to a project

...modifies a section of the Standard Specifications or else adds language that is unique to that project, such as an item specification

...contains Stored Specs, item specs, and various requirements that are unique to that project

Specifications

...“compilation of provisions and requirements for the performance of prescribed work”

...these provisions and requirements include the Standard Specifications and the Special Provisions.

**Do you write all of the specifications,
or are they boilerplate and you add
to them?**

“Boilerplate” = Stored Specs?
we don’t write all of them

some modifications to the Specifications are unique to the project

have to be written into the Special Provisions by the people preparing them

some may revise or add to the language

some may be “stand-alone” that refer to certain parts of the work

an example of the latter would be the Environmental mitigations, which are prepared by EEG

Do our mitigation measures go in the specifications or in the special provisions?

Can there be an environmental section where all of the EEG mitigation is grouped together?

Why are our mitigation measures in different places scattered throughout the specs?

They go into the Special Provisions under the General Requirements.

Attachments to the Environmental Clearance are usually placed at the end of the Special Provisions in an Appendix.

Examples of these attachments would be the 401 or 404 requirements or procedures for handling tortoises if encountered during the work.

Who is responsible for getting any applicable mitigation measures reflected in the contractor's bid quantities?

For example, if we write a mitigation measure that requires fencing or reseeding, who will ensure that the quantities for these items gets added to the bid quantities?

The contractor is responsible for mitigation measures in the contractor's bid quantities.

The team is responsible for contract quantities.

**Why do different people in C&S
organize/write the specs/provisions
differently?**



Same reason other groups and sections in ADOT write some of their documents differently

People are different and tend to think differently
Projects are different

**Can the Districts change order out
or delete any of the Special
Provisions?**

Yes, but they are accountable. District has no authority to change them without the originating agencies authorization.

What do you look for in our mitigation - how it is worded?

The wording must clearly describe who needs to do what.

**Are there certain words that catch
your attention?**

Indefinite, extraneous or unclear words and phrases.
We have learned from experience that it is better to tell the contractor what he is supposed to do, rather than telling him what not to do.

Are there words that we should not use?

The word “should”

Also, words like “extremely”, “very”, “highly”

Are we supposed to use "shall" for the contractor mitigation?

Yes, in almost all cases. Legal defining has made “shall” an imperative where we are telling the contractor what to do as part of the contract. The word “will” is used when we are telling the contractor what the Engineer is going to do.

What are some of the things we have done that have been a problem?

Timeliness of issuing the Clearance

Typically it's slow because of the need for action by other agencies

Sometimes, the Mitigation repeats requirements already in the Specifications

There are also instances where the contractor will not be disturbing any ground; therefore seeding will not be required

What can we do better - how can we write better mitigation? Does C&S have any suggestions for EEG for improvement?

Process for acquiring a clearance be started as early in the project development as possible

Try to make sure whether seeding is needed or not

Need to clarify “permitee” when it applies to the contractor

**Can I find Stored Specifications and
Standard Specifications on the
Web?**

Stored Specifications can be found on C&S's web page at azdot.gov

The Standard Specs are not available on the web, only as a hard copy from Engineering Records at ADOT

What is the process for getting standard specs and stored specs approved?

standard specs are updated through the Stored Spec process

The proposed specification is submitted to our spec writer and reviewed by other agencies and groups as well

This process could take as little as a few months to a few years, depending on the complexity of the spec

**Are there any amendments to the
2000 Standard Specifications?**

There is no formal amendment publication

The closest thing to amending the Standard Specs is the
Stored Specifications.

What does C&S do after receipt of the environmental document? Does it take longer if it's a federal aid project? How is the length of the advertisement period determined?

it is signed and has all the correct project info on it

language does not conflict with anything in the specials or plans and that any potential work activity is described on how it is to be paid

whether the project is federal aid or not does not affect the length of these activities

advertisement period is a minimum of 3 weeks from the time the advertisement is made public and the bid documents are available for sale, but some projects require longer periods, depending on the complexity of the project or when the project is advertised

Does C&S have to contractually deal with Change Orders after award of the project? Does C&S feel there are too many change orders and, if there are, what is the main cause?

C&S does not deal contractually with change orders

District personnel would be better able to answer whether there are too many change orders

Certainly one of the main causes of CO's is ambiguity in the specification language, which is why the team should try to ensure clarity during the review process

How are C&S specialist's assigned projects. Does each one have an area of the state? At what point in the process are they assigned the project?

C&S specialists are assigned projects primarily based on their workload and partly based on their experience in certain types of projects, but not on area

Projects are ideally assigned prior to the kickoff meeting, but sometimes, due to the staff's workload or knowledge of the project, projects are assigned at a later date

**How are Incentives/Disincentives
(I/D) calculated?**

Complex process.

I/D's are not used on most projects.

Usually considered when the Department wants to minimize traffic delays or inconvenience to the public.

Contractor can earn an incentive or disincentive based on whether the clearly defined objective(s) was met.

The basis for figuring this amount out can come from several things, but it must be based on actual road user costs.

I/D cost must be documented and must stand up in court.

Why are materials prices increasing so much lately? Do you see this trend leveling off soon?



A number of different factors

increased material and fuel costs

Supply and demand

boom in private and public sectors

Gulf Coast hurricanes affected production of certain materials and have drawn off resources from other areas of the country

According to some experts, there are economic indicators that predict prices may start to stabilize

What percentage of bidders use the Mentor-Protégé program?

C&S does not monitor nor get any feedback which contractors take part in this program. Lisa Wormington of Civil Rights would be the person to ask.

Has C&S ever had to re-advertise a project because there were no bidders or unacceptable bidders?

In the case of no bidders, the project will be evaluated and re-advertised.

The Department is required to recommend award of a project to the lowest responsive and responsible bidder.

If no responsive and responsible bidders or if the Department determines to recommend rejecting all bids, the project(s) will be evaluated and re-advertised.

Are they using new language in the specifications in regards to Communication & Community Partnership (CCP) being in charge of public relations items?

Public relations for projects in Maricopa County are being administered by on-call firms

for projects outside of Maricopa County, the current policy is that public relations will be part of the construction contract and paid for by Force Account until an on-call list is developed for the rest of the State

**Is there a flow chart for the C&S
process?**

See Handout

For the whole process at C&S to be effective, it takes the combined efforts of many different people from different backgrounds to make the project development successful



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Any Questions?